

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

A & W X-PRESS, INC.,

Plaintiff,

v.

FCA US, LLC,

Defendant.

Case No. 21-12209

Hon. George Caram Steeh

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND ORDER TO SHOW CAUSE  
DIRECTED TO MGM TRANSPORTATION LLC

On July 6, 2023, Magistrate Judge Kimberly G. Altman issued a report and recommendation proposing that the court grant Defendant's motion for an order to show cause. No timely objections have been filed.

Defendant issued a subpoena to non-party MGM Transportation LLC. The company did not comply with the subpoena and Defendant moved for a finding of contempt. The magistrate judge determined that the company was properly served, did not object or move to quash the subpoena, and refused to comply with the request for documents. The magistrate judge concluded that Defendant met its burden of demonstrating civil contempt and recommends that this court issue an order to show cause.

Having reviewed the record, this court agrees with the magistrate judge's analysis and conclusions. Accordingly, IT IS HEREBY ORDERED that Magistrate Judge Altman's July 6, 2023 report and recommendation is ADOPTED as the order of the court.

IT IS FURTHER ORDERED that Defendant's motion for an order to show cause (ECF No. 101) is GRANTED as follows:

IT IS ORDERED that MGM Transportation LLC's attorney SHALL APPEAR before the Honorable George Caram Steeh on **August 15, 2023, at 10 a.m.** to SHOW CAUSE why the company should not be held in civil contempt for failing to comply with the subpoena issued by Defendant.

IT IS FURTHER ORDERED that Defendant shall serve a copy of this order on MGM Transportation LLC and file a certificate of service.

Dated: July 24, 2023

s/George Caram Steeh  
Hon. George Caram Steeh  
United States District Judge